

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Myrick Dennis, with the Cleveland Field Office of the United States Postal Inspection Service (USPIS), having first been duly sworn according to law, hereby depose and say:

INTRODUCTION

1. I am an investigative or law enforcement officer of the United States, within the meaning of Section 2510(7) of Title 18, United States Code, and am empowered by law to conduct investigations of and to make arrests for offenses enumerated in Section 2516 of Title 18, United States Code.

2. I have been employed as a United States Postal Inspector with the United States Postal Inspection Service (USPIS) since 2014. During this time, I have been assigned to the Contraband Interdiction and Investigations team, which investigates the mailing of illegal drugs and their proceeds. Since October 2020, I have been deputized as a Task Force Agent with the DEA Cleveland District Office and assigned to the Tactical Diversion Squad. I have been the case agent in multiple investigations leading to convictions in both U.S. District Court and state courts. I have been involved in more than one hundred federal and/or state investigations and have personally arrested or directly assisted in the arrests of drug law violators.

3. I have received training in the detection and investigation of prohibited mailing offenses during a residential Basic Inspector Training program in Potomac, Maryland. I have also received training in financial investigations as they relate to drug trafficking organizations, money laundering, and asset forfeiture. I have received field training and participated in many aspects of USPIS drug investigations, including but not limited to, parcel interdiction, surveillance, controlled deliveries, execution of search warrants, interview and interrogation, confidential source/cooperating witness debriefing, pen registers, telephone toll analysis, and interception and

analysis of wire and electronic communications. I have written and executed search warrants that have resulted in the seizure of illegal drugs and evidence of drug violations. I am familiar with drug traffickers' methods of operation, especially as they relate to the Postal Service, including the storage, transportation, and distribution of drugs, the transfer and collection of money which represents the proceeds of drug trafficking, and money laundering.

4. This affidavit is submitted in support of a criminal complaint against **PHILLIP HURT (HURT)**.

5. Because this affidavit is submitted for the limited purpose of supporting a criminal complaint, I have not included each and every fact known concerning this investigation. I have set forth only the facts I believe are necessary to establish probable cause that **HURT** has committed violations of 21 U.S.C. § 846, Conspiracy to Possess with Intent to Distribute and to Distribute Fentanyl; and 21 U.S.C. § 841(a)(1), Attempted Possession with Intent to Distribute and Distribution of Fentanyl.

FACTS AND CIRCUMSTANCES REGARDING PROBABLE CAUSE

6. Based upon the information contained in this affidavit, I submit there is probable cause to believe that on or about April 22, 2024, through May 1, 2024, in the Northern District of Ohio, **PHILLIP HURT** committed violations of 21 U.S.C. § 846, Conspiracy to Possess with Intent to Distribute and to Distribute Fentanyl; and 21 U.S.C. § 841(a)(1), Attempted Possession with Intent to Distribute and Distribution of Fentanyl.

Controlled Deliveries of Fentanyl Parcels, Identification of TARGET RESIDENCE

7. On April 25, 2024, I obtained a federal search warrant (1:24-mj-3098) from the Honorable Reuben J. Sheperd, U.S. Magistrate Judge for the Northern District of Ohio, for USPS Ground Advantage parcel bearing tracking no. 9534 6142 0874 4113 6080 39 addressed to John

Hurt, 22401 Arms Ave, Euclid, OH 44123, and having a return address of Samantha Hurt, 7123 11th Ave, Los Angeles, CA 90043 (hereinafter Parcel 1). Parcel 1 was mailed from Los Angeles, California 90009 on April 22, 2024. Postal Inspector Michael Adams and I executed the search warrant thereafter, resulting in the seizure of approximately 1 kilogram (gross total weight) of an off white/gray compressed powder brick that was later confirmed by the Cuyahoga County Regional Forensic Science Laboratory to weigh 1007.34 grams and to contain fentanyl and 4-ANPP, both Schedule II controlled substances, and xylazine, a non-controlled substance frequently used in the manufacture of synthetic opioids like fentanyl. The fentanyl brick was concealed inside a printer.

8. On April 29, 2024, I obtained a federal search warrant (1:24 MJ 4068) from the Honorable Jonathan D. Greenberg, U.S. Magistrate Judge for the Northern District of Ohio, for USPS Priority Mail parcel bearing tracking no. 9505 5139 0848 4114 7299 71 addressed to Jennifer Swanson, 3454 E. 118th St., Cleveland, Ohio 44120, and having a return address of Yesenia Scanton, 7123 W. 11th Ave., LA, CA 90043 (hereinafter Parcel 2). Parcel 2 was mailed from Los Angeles, California 90043 on April 23, 2024. Postal Inspector Adams and I executed the search warrant thereafter, resulting in the seizure of approximately 895 grams (gross total weight) of a white powder substance that field tested positive for fentanyl and was concealed inside printer.

9. On May 1, 2024, investigators from USPIS, DEA, and the Cuyahoga County Sheriff's Office conducted controlled deliveries of each of the above Parcels 1 and 2. Prior to the operation, investigators removed the entirety of the fentanyl from Parcels 1 and 2 and replaced it with a non-controlled substance. Investigators also placed into each parcel a location monitoring

device similar to a GPS and a transmitter which would allow them to determine if or when each of Parcels 1 and/or 2 were opened.

10. At approximately 1:10 p.m., a Postal Inspector acting in an undercover capacity as a USPS Letter Carrier delivered Parcel 1 to the front porch of 22401 Arms Avenue, Euclid, Ohio 44123 (hereinafter Delivery Address 1). Later, other investigators and I conducted consensual interviews with residents of Delivery Address 1. In sum, based on their statements and consensual cellular telephone content review, investigators learned that Phillip HURT used Delivery Address 1 to receive Parcel 1 and was planning to come retrieve it.

11. At approximately 1:40 p.m., a Postal Inspector acting in an undercover capacity as a USPS Letter Carrier delivered Parcel 2 to the front porch of 3454 East 118th Street, Cleveland, Ohio 44120 (hereinafter Delivery Address 2). At approximately 2:32 p.m., a black male later identified as Phillip HURT arrived at Delivery Address 2 in a gold Chevrolet Equinox bearing Ohio license plate JVA8290 (HURT is the registered owner). HURT looked at Parcel 2 before departing the residence in his Equinox without the parcel. At approximately 2:38 p.m., HURT again arrived at Delivery Address 2 in his Equinox and again looked at Parcel 2, this time appearing to be on multiple phone calls and/or video calls while he was outside his vehicle looking up and down the street. HURT departed the residence after approximately 5 minutes without Parcel 2. At approximately 2:56 p.m., HURT arrived back at Delivery Address 2 a third time, and this time retrieved Parcel 2 from the front porch of the residence and entered with it into his Equinox, departing shortly thereafter.

12. Investigators followed HURT as he drove to and backed into the driveway of 3529 East 106th Street, Cleveland, Ohio 44120. At approximately 3:20 p.m., HURT departed 3529 East 106th Street, Cleveland, Ohio 44120 in his Equinox; at this time, the location

monitoring device inside Parcel 2 showed the parcel remaining in or at 3529 East 106th Street, Cleveland, Ohio 44120. At approximately 3:48 p.m., HURT arrived back at 3529 East 106th Street, Cleveland, Ohio 44120 in his Equinox, parking on the street, and walked up the driveway on the side of the house out of view.

13. At approximately 3:56 p.m., investigators were alerted that Parcel 2 had been opened. Investigators converged on 3529 East 106th Street, Cleveland, Ohio 44120 and set up a perimeter; investigators did not observe Parcel 2 or its contents outside 3529 East 106th Street, Cleveland, Ohio 44120. Investigators called out all occupants of 3529 East 106th Street, Cleveland, Ohio 44120; HURT and an individual named Duvelle Smith exited the residence, walked down the driveway, and were taken into custody. Neither HURT nor Smith walked out of 3529 East 106th Street, Cleveland, Ohio 44120 with Parcel 2; therefore, investigators believed Parcel 2 was still located inside 3529 East 106th Street, Cleveland, Ohio 44120. Investigators then conducted a protective sweep of 3529 East 106th Street, Cleveland, Ohio 44120 without searching pending the application for a search warrant. During the protective sweep, investigators observed the opened Parcel 2 and its inner printer which had been broken open inside the kitchen. The non-controlled substance bundle which was placed back into Parcel 2 by investigators before the controlled delivery was missing from the printer and Parcel 2. During the protective sweep, investigators also observed a bucket containing plastic baggies, a bottle of suspected drug cutting agent, a scale, a strainer, blenders, and a kilogram press plate, inside a walk-in pantry. Based on my training and experience, these items are frequently utilized in drug trafficking activities.

14. In post-Miranda statements, HURT stated that a few weeks ago, he spoke to an individual nicknamed "Man Man" near Fleet Avenue in Cleveland who asked him to provide an

address to receive Parcel 2 in exchange for \$3000. HURT admitted he thought the contents of Parcel 2 were most likely illegal. HURT stated he was responsible for retrieving Parcel 2, opening it, and transporting it back to “Man Man.” HURT admitted to taking the non-controlled substance bundle out of the printer and hiding it in an upstairs closet in 3529 East 106th Street, Cleveland, Ohio 44120.

15. After reviewing USPS business records, I identified at least five additional USPS parcels that were sent from Los Angeles to Delivery Address 1, Delivery Address 2, and 698 Columbus Street, Bedford, Ohio 44146. One of these parcels were sent on March 18, 2024, to Delivery Address 2 to a fictitious name, two parcels were then sent on April 1, 2024, to Delivery Address 1 and the Bedford address, and two parcels were sent on April 15, 2024 to the Bedford address with fictitious names. The parcels weighed approximately 31 pounds, 16 pounds, 16 pounds, 5 pounds, and 5 pounds. The three heavier parcels were all confirmed to be printer boxes based on available mail processing information. The two 5-pound parcels were addressed to “Clarissa Hurt” at the Bedford address. Based on queries in CLEAR, an investigative tool that provides access to multiple proprietary and public records and has proven reliable in previous investigations, Clarissa Hurt is believed to be a fictitious name, as are Samantha Hurt and John Hurt from Parcel 1. Additional CLEAR queries of the sender and receiver names and addresses for four of the five previously delivered parcels determined all of them to be fictitious as well, the parcel delivered to Delivery Address 1 on April 1, 2024, did not have available sender and receiver names to query. Based on the above similarities of the five previously delivered parcels to Parcels 1 and 2, namely: all parcels were sent from the same drug source area (Los Angeles) to the same destination area (Northeast Ohio), five of the parcels contained or were likely to contain printers, the fictitious names utilizing the surname Hurt, and the surveillance

observations and admissions of HURT, I believe the five previously delivered parcels likely contained controlled substances, and evidence of this continuing drug trafficking enterprise which spans the past six weeks was likely to be found in the 3529 East 106th Street, Cleveland, Ohio 44120.

16. At approximately 8:01 p.m., I obtained a federal search warrant (1:24 MJ 4074) from the Honorable Jonathan D. Greenberg, U.S. Magistrate Judge for the Northern District of Ohio, for 3529 East 106th Street, Cleveland, Ohio 44120. Investigators executed the warrant shortly thereafter, resulting in the seizure of approximately 2,000 blue “M30” tablets suspected to contain fentanyl, a loaded pistol, and bulk U.S. currency from a vehicle parked in the driveway of this residence. The keys to this vehicle were found in HURT’s pants pocket.

17. During a consent search of one of HURT’s cellular telephones, investigators observed that the Google Maps home location was programmed as the latitude and longitude corresponding to 6857 Amherst Drive, Northfield, Ohio 44067. Investigators continued to interview HURT and asked about his residence, to which he responded that he has lived at the address on his driver’s license (which is not 6857 Amherst Drive, Northfield, Ohio 44067) for the past 3 years, only staying at his girlfriend’s residence in Maple Heights occasionally. Investigators then asked about the address found in his phone, 6857 Amherst Drive, to which HURT responded that he had “been there before, but that’s just my dude’s spot,” further stating that the last time he was there was one month ago. Investigators questioned HURT further about 6857 Amherst Drive, Northfield, Ohio 44067, to which HURT finally admitted that he has marijuana and less than \$30,000 in cash there. HURT repeatedly stated that he has “keys to all of his places,” insinuating that he also has keys to 6857 Amherst Drive, Northfield, Ohio 44067.

However, HURT refused to provide the specific apartment number at 6857 Amherst Drive, Northfield, Ohio 44067.

18. Investigators responded to 6857 Amherst Drive and canvassed the neighborhood, making contact with a resident of the same building at 6857 Amherst Drive, Northfield, Ohio 44067. The resident recognized a photo of HURT and stated he or she believed HURT resides in Apartment 2309. Investigators then knocked on the front door of this apartment, and having received no answer, believed it to be unoccupied. Investigators then looked with a flashlight through the unobstructed front windows of Apartment 2309 and observed a photograph stating “Happy Birthday Phil.” In the photo, investigators recognized a black male believed to be Phillip Hurt (year of birth 1969), the father of Phillip HURT. The elder Phillip Hurt was recognized by investigators as a narcotics trafficking target from a previous investigation. Investigators also contacted the property management and confirmed that HURT is the lessee for 6857 Amherst Drive, Northfield, Ohio 44067.

19. At approximately 10:01 p.m., I obtained a federal search warrant (1:24 MJ 4075) from the Honorable Jonathan D. Greenberg, U.S. Magistrate Judge for the Northern District of Ohio, for 6857 Amherst Drive Apartment 2309, Northfield, Ohio 44067. Investigators executed the warrant shortly thereafter, resulting in the seizure of several pounds of suspected marijuana, bulk U.S. currency, drug paraphernalia, and a vacuum sealed bag containing white powder, as well as the identification of indicia of occupancy for HURT.

20. On May 1, 2024, I searched USPS business records and identified a unique telecommunications identifier belonging to Charter Communications, Inc. (Charter), that inquired on the delivery status of both Parcel 1 and Parcel 2 at approximately 10:09 a.m. that day. On May 2, 2024, subpoenaed records from Charter confirmed the identifier above was

subscribed to Account Number 8361100250086505 in the name of Philip Hurt, 6857 Amherst Dr Apt 2309, Northfield, OH 44067, philliphurt5@gmail.com.

21. Based upon the information contained in this affidavit, I submit there is probable cause to believe that on or about April 22, 2024, through May 1, 2024, in the Northern District of Ohio, PHILLIP HURT committed violations of 21 U.S.C. § 846, Conspiracy to Possess with Intent to Distribute and to Distribute Fentanyl; and 21 U.S.C. § 841(a)(1), Attempted Possession with Intent to Distribute and Distribution of Fentanyl.



MYRICK DENNIS
POSTAL INSPECTOR
U.S. POSTAL INSPECTION SERVICE

This affidavit was sworn to by the affiant by telephone after a PDF was transmitted by email, per Crim R. 41(d)(3).


JONATHAN D. GREENBERG
U.S. MAGISTRATE JUDGE

05-02-2024
DATE

